

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

OTIS GRANT
Plaintiff,

vs.

HARRIS COUNTY
Defendant.

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CIVIL ACTION NO. 16-CV-03529

JURY TRIAL REQUESTED

**PLAINTIFF'S RESPONSE TO HARRIS COUNTY'S SECOND REQUEST FOR
PRODUCTION TO OTIS GRANT**

To: Defendant, Harris County, by and through its attorney of record, Seth Hopkins Assistant County Attorney, 1019 Congress Plaza, 15th Floor, Houston, Texas 77002; Email: seth.hopkins@cao.hctx.net.

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff, Otis Grant, provides the following responses and objections to the following requests for production.

Respectfully submitted,

/s/ Victoria Plante-Northington

Victoria Plante-Northington

Texas Bar No. 00798436

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Response to Harris County's Second Request for Production to Otis Grant was sent to all counsel of record via electronic mail on this 28th day of September 2017:

Seth Hopkins
ASSISTANT COUNTY ATTORNEY
HARRIS COUNTY ATTORNEY'S OFFICE
1019 Congress Plaza, 15th Floor
Houston, Texas 77002
Email: seth.hopkins@cao.hctx.net

/s/ Victoria Plante-Northington
Victoria Plante-Northington

**PLAINTIFF'S RESPONSE TO HARRIS COUNTY'S SECOND REQUEST FOR
PRODUCTION TO PLAINTIFF OTIS GRANT**

BACKGROUND QUESTIONS

REQUEST FOR PRODUCTION NO. 29: Please produce all itemized cell phone billing records for each phone you had during the years 2012 and 2013. You may mark these records "Confidential," as provided by the parties' protective order, or redact the phone numbers of calls made or received outside your normal work hours. You may not redact evidence of any communications with persons listed as witnesses in your disclosures or coworkers who you allege discriminated or retaliated against you, or who have information relevant to this case. If you do not have these records, please identify all cell phone service providers, phone numbers, and account numbers and sign the attached release for these records or provide a time when you and your attorney are available to allow defendant to log into your account and review these records.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Plaintiff does not recall texting any employee of Defendant regarding facts included in this case.

REQUEST FOR PRODUCTION NO. 30: Please produce a copy of all public social media posts (including Facebook, Twitter, and LinkedIn) during the last 12 months of your employment with Harris County and the first 12 months after your employment with Harris County. This should include screen shots of all posts, pictures, and "check ins" you made. If you no longer have access to these records, please identify all social media accounts that you had during this time and the account names and associated email addresses. Because social media records are public, there should be no privacy concerns regarding this request.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Other than the Facebook post by Anthony Samuel, no other social media posts of Plaintiff involves any facts related to this case.

REQUEST FOR PRODUCTION NO. 31: Please produce all emails, texts, social media messages (public or private), or other written or electronic communications related to your work at Harris County since you allege you were discriminated against and/or retaliated against in 2011. "Related to your work at Harris County" is defined as any communications that occurred during your normally scheduled work hours (whether you were present at work or not), communications about events that occurred at work, communications about people you worked with, your alleged accommodation requests, and the reasons you took time off from work. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Other than the Facebook post by Anthony Samuel, no other social media posts of Plaintiff involves any facts related to this case.

REQUEST FOR PRODUCTION NO. 32: Please produce all emails, texts, social media messages (public or private), or other written or electronic communications about topics related to your alleged disability or topics related to your work at Harris County (as defined above) between 2011 and the present with witnesses numbers two through eight identified on your disclosures. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Other than the Facebook post by Anthony Samuel, no other social media posts of Plaintiff involves any facts related to this case. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 33: Please produce all emails, texts, social media messages (public or private), or other written or electronic communications with Anthony Samuel between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Other than the Facebook post by Anthony Samuel, no other social media posts of Plaintiff involves any facts related to this case. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 34: Please produce all emails, texts, social media messages, or other written or electronic communications with Brittany Grant related to your work with Harris County (as defined above), your alleged disabilities, or any topic upon which she is expected to testify, between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 35: Please produce all emails, texts, social media messages, or other written or electronic communications with James Reddish related to your work with Harris County (as defined above), your alleged disabilities, or any topic upon which he is expected to testify, between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 36: Please produce all emails, texts, social media messages, or other written or electronic communications with Hugo Inwufor related to your work with Harris County (as defined above), your alleged disabilities, or any topic upon which he is expected to testify, between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 37: Please produce all emails, texts, social media messages, or other written or electronic communications with Lee Harris related to your work with Harris County (as defined above), your alleged disabilities, or any topic upon which he is expected to testify, between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 38: Please produce all emails, texts, social media messages, or other written or electronic communications with Jason Brown related to your work with Harris County (as defined above), your alleged disabilities, or any topic upon which he is expected to testify, between 2011 and the present. This request excludes documents already produced.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is

harassing in nature. Defendant has no facts to support the basis of this request. Subject to the objections, without waiving them, Plaintiff responds: none exists to his knowledge.

REQUEST FOR PRODUCTION NO. 39: If not produced elsewhere, please produce all documents reflecting your attempts to mitigate your alleged disability while working at Harris County. This should include prescriptions, receipts, or other documents related to medical or specialty devices or medications.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Subject to the objections, Plaintiff responds: Plaintiff attempted to follow his doctor's advice and took medication to minimize symptoms of his illness.

REQUEST FOR PRODUCTION NO. 40: If not produced elsewhere, please produce all documents reflecting your attempts to mitigate your alleged disability while working at Harris County. This should include prescriptions, receipts, or other documents demonstrating that you participated in, purchased, or used medical devices, medications, or physical therapy in an effort to perform your essential job functions.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Subject to the objections, Plaintiff responds: Plaintiff attempted to follow his doctor's advice and took medication to minimize symptoms of his illness.

REQUEST FOR PRODUCTION NO. 41: Please produce a signed copy of the attached Social Security transcript release, Aetna explanation of benefits release, and if you are not responding to Request for Production No. 29, a signed copy of the attached Consent to Release Cell Phone Records.

RESPONSE: Plaintiff objects that this request is overly broad to the extent it seeks information beyond what is relevant in this case. Plaintiff objects that this request would lead to information that is not relevant to any claims or defenses in this case. Plaintiff objects that this request is harassing in nature. Defendant has no facts to support the basis of this request.

REQUEST FOR PRODUCTION NO. 42: Please produce a complete job description for each job you applied for (whether you were hired or not) since leaving Harris County in 2013. This includes, but is not limited to, your present employment. If you applied for any position for which you do not have a job description, please identify the position and date you applied.

RESPONSE: Plaintiff does not have the documents requested in his possession at this time. If this information becomes available, he will supplement it.

REQUEST FOR PRODUCTION NO. 43: Please produce all documents related to the handicap placards you refer to in your audio and video recordings.

RESPONSE: Plaintiff objects that this request is nonsensical. Plaintiff does not understand this request and therefore cannot respond to this request.F